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10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**  
12 **SAN FRANCISCO DIVISION**

13 JASMINE HUBBARD AND MARVEL  
MILLS, individually and on behalf of a class  
14 of similarly situated individuals,

15 Plaintiffs,

16 vs.

17 WENNER MEDIA LLC, a Delaware limited  
liability company

18 Defendant.  
19

Case No. 3:11-cv-04648-EMC

**STIPULATION AND [PROPOSED]  
ORDER TO RESET DATES OF INITIAL  
CASE MANAGEMENT CONFERENCE  
AND ARGUMENT ON MOTION**

Judge: Hon. Edward M. Chen

20 Pursuant to Civil Local Rules 6-1(b) and 6-2 of the United States District Court for the  
21 Northern District of California and Rule 4 of Civil Standing Order – General of the Honorable  
22 Edward M. Chen, it is hereby stipulated by and among Plaintiffs Jasmine Hubbard and Marvel  
23 Mills and Defendant Wenner Media LLC (collectively the “Parties”), by and through their  
24 respective counsel of record, as follows:

25 1. Plaintiffs filed the Complaint in this case on September 20, 2011. On December 9,  
26 2011, Defendant filed a Motion to Dismiss or, in the Alternative, to Transfer to the Southern  
27 District of New York (“Defendant’s Motion”). Defendant’s Motion has been fully briefed and  
28 oral argument was originally scheduled for February 17, 2012.

1           2.       The Parties wished to engage in settlement discussions, indicated a desire to  
2 schedule an early settlement conference with a Magistrate Judge, and had an ADR phone  
3 conference on February 14, 2012. In addition, the Parties had reason to believe that limited  
4 discovery by plaintiffs from certain non-party entities would maximize the Parties ability to  
5 engage in meaningful settlement discussions.

6           3.       In consideration of this, the Parties stipulated to a Stay of sixty (60) days, which  
7 this Court signed on February 13, 2012. (Dkt. 49.) During the stipulated period, the Parties  
8 requested that this Court issue no decision on Defendant's Motion.

9           4.       The Parties again stipulated to move the hearing date on Defendant's Motion from  
10 April 20, 2012 to August 17, 2012. (Dkt. 57.)

11           5.       Additionally, the Parties have agreed and stipulated to reschedule the settlement  
12 conference date twice, first from May 2, 2012 to July 25, 2012 (*see* dkt. 59), and again from July  
13 25, 2012 to November 13, 2012. (Dkt. 61.) The Parties agreed to reschedule the settlement  
14 conference to November 13 due to unexpected delays in the third-party discovery process. (*See*  
15 Dkt. 61.)

16           6.       The Parties believe that rescheduling the Case Management Conference and  
17 hearing date on Defendant's Motion would be in the best interests of judicial efficiency and  
18 economy.

19           7.       This stipulation would alter certain preliminary deadlines established by this Court,  
20 including the obligation to file a Joint Case Management Statement in advance of the Case  
21 Management Conference currently scheduled for August 24, 2012 at 9:00 a.m.

22               a.       The Initial Case Management Conference scheduled for Friday, August 24,  
23 2012 shall be continued to Friday, November 2, 2012 at 9:00 a.m. in Courtroom 5, 17th Floor, 450  
24 Golden Gate Avenue, San Francisco, California, or as soon thereafter as is convenient for the  
25 Court.

26               b.       Oral argument on Defendant's Motion shall be continued to the same date  
27 and time as the Initial Case Management Conference, or as soon thereafter as is convenient for the  
28 Court.

c. The August 17, 2012 deadline for the Parties to file a Joint Case Management Statement shall be continued to October 26, 2012.

This is the fourth stipulated time modification in this case; on November 7, 2011, the Parties filed a joint stipulation to extend the time for Defendant to answer, move or otherwise respond to the Complaint, and the Court so ordered on November 9, 2011. On February 10, 2012, the Parties filed a stipulation and proposed order to reset the Case Management Conference and oral argument on Defendant's Motion, which the Court so ordered on February 13, 2012. On April 9, 2012, the Parties filed a stipulation and proposed order to reset the Case Management Conference and oral argument on Defendant's Motion, which the Court so ordered on April 10, 2012. No trial date has been set, so this extension will not require that a trial date be rescheduled, but it will require that the Initial Case Management Conference and related deadlines be rescheduled, as set forth *supra*.

IT IS SO STIPULATED.

DATED this 3rd day of August 2012.

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### **ORDER**

Pursuant to stipulation, the foregoing is approved and IT IS SO ORDERED.

IT IS FURTHER ORDERED that the April 20, 2012 Initial Case Management Conference shall be rescheduled to Friday, November 2, 2012, at ~~9:00 a.m.~~ 1:30 p.m. in Courtroom 5, 17<sup>th</sup> Floor, 450 Golden Gate Avenue, San Francisco, California. A joint CMC Statement shall be filed by

October 26, 2012. Defendant's motion to dismiss will be heard on November 2, 2012 at 1:30 p.m.

IT IS SO ORDERED.

DATED: August 7, 2012

EDWARD M. CHEN  
 UNITED STATES DISTRICT COURT JUDGE

